



Wichita Police Department Policy Manual

Approved by: _____

Policy 515 - Intoxicated Persons

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Maintained by: Field Services

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- 515.01 Plain drunk is not a booking offense. No person may be jailed for simply being intoxicated.
- 515.02 Any officer dealing with an intoxicated person, who, in the officer's opinion, IS NOT intoxicated to the point of
R constituting a danger to them self or others should first attempt to find a way home for him/her.
- A. Should the officer be unable to locate the home of the intoxicated person, the officer may attempt to contact family members to recommend possible treatment options for the intoxicated person. The Officer will recommend options for the intoxicated person from the Intoxicated Persons Referral List, located on the Police Secure Site. The Officer may also provide them information regarding Comcare of Sedgwick County Addiction Treatment Services and provide them with the phone number 316-660-7550.
- 515.03 Should an officer come into contact with an intoxicated person, who, in the officer's opinion, is intoxicated to the point
R of constituting a danger to them self or others, the officer shall take him/her into custody without a warrant, pursuant to K.S.A. 59-2953(a). Reasonable caution should be observed by officers in anticipation of the intoxicated person becoming violent.
- 515.04 Officers who take into custody an intoxicated person who is believed to constitute a danger to them self or others, shall
R adhere to the following:
- A. If no local hospital is requested, have EMS transport the intoxicated person to the closest hospital which provides alcohol treatment services for examination by an on-duty physician or psychologist.
- B. Upon arrival at the treatment facility, have the on-duty physician or psychologist examine the person;
1. If the physician/psychologist does not believe the person to be a danger to them self or others, the officer shall release the person. An incident report is required to be completed in this instance, and should include the name of the physician and/or psychologist.
 2. If the physician/psychologist does believe that the person is likely to cause harm to them self or others if allowed to remain at liberty, the officer shall complete an "Application for Emergency Observation and Treatment" form, which will be obtained from the hospital or treatment facility. The officer will document on this form the following information;
 - a. The name and address of the person [if known];
 - b. The name and address of the person's spouse or nearest relative [if known];
 - c. The officer's belief that the person is intoxicated and is likely to cause harm to self or others if not immediately detained; and
 - d. The factual circumstances under which the person was taken into custody.
- C. The Officer shall retain the original and submit it with an Incident Report. A copy of the Emergency Observation and Treatment form, along with a copy of the Incident Report shall be left with the treatment facility personnel.